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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,744	03/31/2001	Tomoo Kosugi	1014-016	5963

22898 7590 02/26/2003

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EXAMINER

LEON, EDWIN A

ART UNIT PAPER NUMBER

2833

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,744

Applicant(s)

KOSUGI ET AL.

Examiner

Edwin A. León

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s) _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed November 27, 2002 in which the Specification and Claims 1-20 have been amended, has been placed of record in the file as Paper No. 4.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1, 9 and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Browning et al. (U.S. Patent No. 6,409,564). With regard to Claim 1, Browning et al. discloses a method for manufacturing a flat panel display comprising the steps of: providing a baseplate (11) and a faceplate (16); desorption processing the faceplate (16) in a vacuum (Column 3, Lines 43-49); merging the baseplate (11) and the faceplate (16); and sealing the vacuum (Column 3, Lines 43-49) between the baseplate (11) and

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the faceplate (16). See Fig. 2 and Column 4, Lines 23-49, Column 6, Lines 1-7 and Lines 49-63.

With regard to Claims 9 and 16-20, Browning et al. disclose a method for manufacturing a flat panel display comprising the steps of: providing a baseplate (11) and a faceplate (16); desorption processing the faceplate (16) in a vacuum (Column 3, Lines 43-49); merging the baseplate (11) and the faceplate (16); and sealing the vacuum (Column 3, Lines 43-49) between the baseplate (11) and the faceplate (16), the desorption processing including pre-aging the faceplate (16), the desorption processing including pre-aging before merge of the baseplate (11) and the faceplate (16), the pre-aging using irradiation with electrons from an electron gun (13). See Fig. 2 and Column 4, Lines 23-49, Column 6, Lines 1-7 and Lines 49-63.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2-8, and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Browning et al. (U.S. Patent No. 6,409,564). With regard to Claim 2, Browning et al. discloses the claimed invention except the use of a vacuum from 10-7 to 10-8 torr.

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However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a vacuum from 10^{-7} to 10^{-8} torr, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617, F. 2d 272, 205 USPQ 215 (CCPA 1980).

With regard to Claim 3, Browning et al. discloses the step of desorption processing including scrubbing the faceplate (16) before sealing the vacuum (Column 3, Lines 43-49) between the baseplate (11) and the faceplate (16). See Fig. 2 and Column 4, Lines 23-49, Column 6, Lines 1-7 and Lines 49-63.

With regard to Claims 4-5, Browning et al. discloses the scrubbing the faceplate (16) using plasma sputtering, the plasma sputtering using a low atomic weight gas. See Fig. 2 and Column 4, Lines 23-49, Column 6, Lines 1-7 and Lines 49-63.

With regard to Claims 6-8, 10, 13, 15, Browning et al. discloses the claimed invention except the plasma sputtering using a faceplate voltage of -10 to -1000 mV, the plasma sputtering using a faceplate voltage of +10 to + 1000 mV, the plasma sputtering applying a faceplate voltage for about 1 to 60 minutes, the pre-aging the faceplate being performed from 120 to 300 minutes, the pre-aging using irradiation with electrons having a current density of 5 to 10 times higher than that of the faceplate during normal operation, or the pre-aging including application of a voltage of 6 to 9 kV between the baseplate and the faceplate.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the plasma sputtering using a faceplate voltage of -10 to -1000 mV, the plasma sputtering using a faceplate voltage of +10 to + 1000 mV,

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the plasma sputtering applying a faceplate voltage for about 1 to 60 minutes, the pre-aging the faceplate being performed from 120 to 300 minutes, the pre-aging using irradiation with electrons having a current density of 5 to 10 times higher than that of the faceplate during normal operation, or the pre-aging including application of a voltage of 6 to 9 kV between the baseplate and the faceplate, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617, F. 2d 272, 205 USPQ 215 (CCPA 1980).

With regard to Claims 11-12, and 14, Browning et al. disclose a method for manufacturing a flat panel display comprising the steps of: providing a baseplate (11) and a faceplate (16); desorption processing the faceplate (16) in a vacuum (Column 3, Lines 43-49); merging the baseplate (11) and the faceplate (16); and sealing the vacuum (Column 3, Lines 43-49) between the baseplate (11) and the faceplate (16), the desorption processing including pre-aging the faceplate (16), the desorption processing including pre-aging before merge of the baseplate (11) and the faceplate (16), the pre-aging using irradiation with electrons from an electron gun (13). See Fig. 2 and Column 4, Lines 23-49, Column 6, Lines 1-7 and Lines 49-63.

Response to Arguments

6. Applicant's arguments filed November 27, 2002 have been fully considered but they are not persuasive. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which

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applicant relies (i.e., the screen scrubbing prior to assembly of the device not limited to oxygen (and/or sulfur) contamination prior assembly) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In the instant case, Applicant's claims only require screen scrubbing prior to the assembly of the device which would read on the Browning et al. reference.

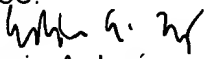
Conclusion

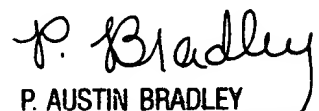
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-

0956.


Edwin A. León
AU 2833
EAL
February 20, 2003


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